

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company
(U 39 E) for Authority to Increase Revenue
Requirements to Recover the Costs to Replace
Steam Generators in Units 1 and 2 of the Diablo
Canyon Power Plant.

Application 04-01-009
(Filed January 9, 2004)

ASSIGNED COMMISSIONER'S RULING AND SCOPING MEMO

Based on prehearing conferences held in this proceeding, and pursuant to Public Utilities Code Section 1701.1(b), a scoping memo shall be issued in this proceeding.

Therefore, **IT IS RULED** that:

1. This application involves the request of Pacific Gas and Electric Company (PG&E) to replace the steam generators at its Diablo Canyon Power Plant.
2. The Assigned Commissioner is Geoffrey F. Brown.
3. The assigned Administrative Law Judge, Jeffrey P. O'Donnell, is the principal hearing officer.
4. The category is ratesetting.
5. Hearings are needed.
6. The Issues are:
 - The need for the replacement,
 - The costs and benefits of the replacement, including the costs and/or benefits of delaying or not performing the replacement, and
 - Ratemaking.

7. Pursuant to the California Environmental Quality Act, an Environmental Impact Report (EIR) will be prepared. The proceeding will not be submitted, and a final decision will not be issued until after the Final EIR is released to the public.

8. The Schedule is:

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|--------------------------------|--|
| • Parties' testimony | July 12, 2004 |
| • PG&E's rebuttal testimony | August 2, 2004 |
| • Hearings | August 23-27 and
September 7-10, 2004 |
| • Opening briefs | October 12, 2004 |
| • Reply briefs | October 28, 2004 |
| • Final EIR released to public | April 12, 2005 |
| • Projected submission date | April 12, 2005 |
| • Presiding Officer's decision | July 11, 2005 |
| • Final Commission Decision | September 9, 2005 |

9. The schedule is subject to change but, pursuant to Public Utilities Code Section 1701.5, the proceeding will be resolved within 18 months of the date of this ruling.

10. The evidentiary hearings will be held at the Commission Courtroom, 505 Van Ness Avenue, State Office Building, San Francisco, California. Hearings will begin at 10:00 a.m., on August 23, and September 7, 2004, and at 9:30 a.m. on the other days.

11. Requests for final oral argument pursuant to § 1701.3(d) shall be made orally during the last day of hearings.

12. The ex parte rules specified in Rule 7 of the Commission's Rules of Practice and Procedure apply to this proceeding.

Dated June 24, 2004, at San Francisco, California.

/s/ GEOFFREY F. BROWN

Geoffrey F. Brown
Assigned Commissioner

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Assigned Commissioner's Ruling and Scoping Memo on all parties of record in this proceeding or their attorneys of record.

Dated June 24, 2004, at San Francisco, California.

/s/ FANNIE SID
Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TTY# 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.